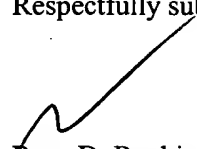


1. This Information Disclosure Statement is submitted:
 - a. ☐ within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
☐ within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;
☐ before the mailing date of a first Office Action on the merits; or
☐ before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
 - b. ☒ after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: ☐ the certification of paragraph 2 below is provided, or ☒ a fee of \$180.00 is enclosed.
 - c. ☐ after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.
2. It is hereby certified:
 - ☐ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty (30) days prior to the filing of the information disclosure statement;
 - ☐ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the Statement; or
 - ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three (3) months prior to the filing of the Statement.
3. ☐ Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:
4. For each non-English language reference listed on the attached Form PTO-1449:
 - ☐ reference is made to an English language translation submitted herewith, and/or
 - ☐ reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
 - ☐ reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or

- ☐ reference is made to the concise explanation contained in the specification of the present application at page(s) _____, and/or
- ☐ reference is made to the concise explanation set forth below:
5. ☐ Applicant also offers the following comments for the Examiner's consideration:
6. ☐ Also enclosed is a copy of a foreign search report citing these references.
7. ☐ The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.
8. ☐ Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

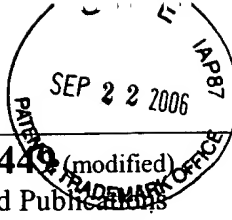
If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5957-41701/RDR.

Respectfully submitted,


Rory D. Rankin
Reg. No. 47,884
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Date: September 20, 2006



Form PTO-1449 (modified)
List of Patents and Publications
For Applicant's Information
Disclosure Statement
(Use several sheets if necessary)

ATTY. DKT. NO. 5957-41701

SERIAL NO. 09/728,373

APPLICANT: Yee, et al.

GROUP: 2613

FILING DATE: November 28, 2000

U.S. PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		6,904,240	06/07/2005	Suga, et al.			
		6,766,116	07/20/2004	Webb			
		6,735,395	05/11/2004	Bai			
		6,580,535	06/17/2003	Schonfelder			
		6,493,131	12/10/2002	Tarng, et al.			
		6,459,515	10/01/2002	Bergano			
		6,342,961	01/29/2002	Bergano, et al.			
		6,236,480	05/22/2001	Atlas			
		6,038,357	03/14/2000	Pan			
		5,589,970	12/31/1996	Lyu, et al.			
		5,589,969	12/31/1996	Taga, et al.			
		5,305,134	04/19/1994	Tsushima, et al.			
		2002/0076132	06/20/2002	Peral, et al.			

FOREIGN PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES/NO

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	7A	Kitayama, K. "Highly spectrum efficient OFDM/PDM wireless networks by using optical SSB modulation." Journal of Lightwave Technology. Vol. 16, No. 6. June 1998; 969-976.
	7B	Othonos, A. "Fiber Bragg gratings." Review of Scientific Instruments. Volume 68, Issue 12. December 1997; 4309-4341.
	7C	Ramaswami, R. and K.N. Sivarajan. "Optical Networks: A Practical Perspective." San Francisco: Morgan Kaufman Publishers, Inc., 1998.
	7D	Watanabe, S. et al. "Optical coherent broad-band transmission for long-haul and distribution systems using subcarrier multiplexing." Journal of Lightwave Technology. Vol. 11, No. 1, January 1993; 116-127.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.